Tr. 534

MAD-HOUSES.

OBSERVATIONS

ON THE

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FOR

REGULATING MAD-HOUSES,

AND

A CORRECTION OF THE STATEMENTS

OF THE CASE OF

BENJAMIN ELLIOTT,

CONVICTED OF ILLEGALLY CONFINING MARY DAINTREE;

WITH

REMARKS ADDRESSED TO

THE FRIENDS OF INSANE PERSONS.

BY

JAMES PARKINSON.

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ADDRESS.

At the Middlesex Sessions, October 30, 1810, Benjamin Elliott, Elizabeth Anne Elliott, his wife, and Sarah Bodkin, were tried on an indictment, charging them with a conspiracy, the object of which was, illegally to deprive Mary Daintree of her liberty. In one or two of the newspapers of the next morning, a very incorrect account appeared of the evidence delivered on this trial, and particularly of that which I had been called on to give.

On these erroneous statements, reprehensive observations were founded, and were published in one of the newspapers of the following evening. The censures which these conveyed, were echoed and re-echoed, until my friends requested that they should be seriously noticed. This I conceived by no means to be necessary, trusting that no one who knew me would give credit to my having committed myself, by conduct so reprehensible as that which had been imputed to me. At the end of a fortnight, a letter on the same subject, too contemptible and illiberal to be answered, appeared in the same paper*.

* As a charge of illiberality, although against an anonymous writer, should be supported by evidence, the following

This, however, occasioned a renewal of the interference of my friends, who urged me to defend myself; but I was loth to trouble myself with resisting that which I believed could not injure.

The next attack was from a short lived medical newspaper, The Apollo, and as I am informed, with a considerable degree of contemptible malignity. Of this, however, I do not speak on my own knowledge, for, on endeavouring to obtain a copy of the paper, the publication was found to be stopped. Still it did not appear to be necessary to obtrude myself on the public on account of these attacks.

passage is offered for this purpose, and, it is supposed, must prove satisfactory. " Who are the parties in that house ? (Mrs. Burrowes's house) whether the keeper there and those at Bethnal-green, are not the same, so that they are enabled to play into each other's hands, and elude the inquirer after *lost persons,* or persons decoyed from the *basest motives ?*"

I cannot help here observing, in justice to Mrs. Burrowes, that I believe no other party has any concern in the house which she keeps; that she has no connection with any other house of the same description, that her character is unimpeachable.

With equally good information, this writer observes, that " he believes the visitors from the college of physicians have hitherto done *no services.* There is one other person who entertains, or did affect to entertain, similar notions with those of this writer. Mr. Alley promised the jury on this trial, that the business should not stop here, that however high their situation, these gentlemen (the visitors) should be taught that they were not to wear their honours like useless nodding plumes.

At length I obtained information that the visitors of the college had expressed their surprise that I had not contradicted the calumnies which had been raised against me. On hearing this, I became somewhat disposed to correct the misstatement of my evidence, which had appeared in the public papers; but I did not resolve on undertaking the easy task, until I had led myself to hope, that, at the same time, I might offer some observations which might show the defects of the act for regulating mad-houses, with some incidental remarks, which might be useful to those who had relatives suffering under the dreadful loss of reason. With these hopes, the following pages are humbly offered to the public.

JAMES PARKINSON.

London,
Jan. 1, 1811.

OBSERVATIONS

ON THE

ACT FOR REGULATING MAD-HOUSES.

THE miseries of any one unnecessarily consigned to the horrors of a mad-house, and the state of the unhappy lunatic, whose privation of reason leaves him without the power of complaint against those, who, false to their trust, may augment instead of diminish his sufferings, alike excite our commiseration. We cannot, therefore, but look with gratitude to the labours of those who brought forward that act, the objects of which are, the regulation of mad-houses, the admission of patients, and the visitation of these houses and patients by proper persons.

But here, as in many other instances, the first endeavours of benevolence have not been fully successful. Although the grand points, which the authors of the bill had in view, are in a great measure obtained, other less evils remain unabated,

and some exist which are the consequence of imperfections in the bill itself. To point out these evils, and to endeavour to trace them to their true source, and to suggest means by which they may be removed or lessened, are the objects of the present attempt.

One of the most important regulations in this act, is that which is intended to prevent keepers of madhouses from receiving patients without having an order, in writing, under the hand and seal of some physician, surgeon, or apothecary. But it appears doubtful, whether this clause, as at present worded, yields that security which was expected from it, owing to its admitting the validity of an order, signed by any person, whose claim to be considered a member of the medical profession rests only on his designating himself an apothecary. Such persons are not legally recognised as fit judges of the maladies to which the human system is subject. Those only can be, and, indeed, are so considered, as have received such a professional education as has enabled them to undergo the examination ordered by law, and have in consequence received from those appointed to examine them, a regular permission to exercise the duties of their profession.

How peculiarly competent a physician is to sign the order here required, need not be pointed out; and with respect to surgeons, it is only necessary to remark, that it is hardly possible, that one who

has passed through the professional education, necessary to qualify him for an examination as a surgeon, can be incompetent to decide on the sane or insane state of a patient's mind.

But how widely different is it with respect to some of those persons who call themselves apothecaries, and thence presume to judge respecting diseases. Their abilities have been examined by no prescribed test, nor have they received any authority to take on themselves the delicate and important task of judging of, or of practising upon, the diseases either of the body or of the mind. That in this metropolis, and in many parts of the empire, there are many very respectable persons, who with the designation only of apothecaries, possess every acquirement which is requisite for the successful exercise of their profession, is well known. But it is equally well known, that there is hardly a neighbourhood which is not infested with some ignorant and illiterate being, who having learned the names of many medicines, and of some diseases, seeks a livelihood by putting the lives of his neighbours at hazard, by pretending to remove the diseases with which they may happen to be afflicted.

Should the range of such men be enlarged?—Should they, in addition to the calamities with which they are now able to inflict the families around them, be empowered, at their will, and on their judgment, to decree the confinement in a mad-house of any one, who from their ignorance,

their pliant servility to a superior, or their easy yieldings to interested and well-managed importunities, they may be induced to term insane? A decided negative to these questions must surely be given after considering the possible, nay, the probable consequences of such a permission.

In places somewhat distant from the metropolis, characters of such a description are most likely to be found, and there are they enabled to occasion the greatest injury. For supposing that any person of this description should *improperly*, but according to the best of his judgment, and under circumstances artfully contrived to secure his compliance, grant a certificate of lunacy, the subject of that certificate may directly be consigned to a mad-house; and if the house to which he is thus consigned should not be within seven miles of the metropolis, or within the county of Middlesex, the keeper of such house is not required to give notice of the receipt of such person, but within fourteen days. For a period of this length, therefore, a person manifesting only an eccentricity of manner, perhaps even the consequence of a superior degree of intellect, may, from caprice, interested motives, or ill-judged timidity, be condemned to the horrors of a mad-house, without an opportunity, being cut off from all communications with society, of claiming his release; and without a chance of any of his relations or friends obtaining information of the place of his concealment.

But what takes place even at the expiration of the fortnight?—the keeper of the house sends notice of having received a patient of such a name into his house, and what then?—if no friend or relation should think of making inquiry respecting him, he may wait for his release until the visitation of the house by the commissioners appointed for this purpose. This may not happen quite so early as the unfortunate prisoner may wish, since the act only requires a visitation from the commissioners within seven miles of London and Westminster, and within the county of Middlesex, once at least in every year *; and at a distance of more than seven miles, and out of the county of Middlesex, only as often as they shall think fit; no certainty of a visitation within any given period being here assured.

But let the difficulty of determining, in many of these cases, be attended to, and then let the propriety of trusting to persons of this description for a decision, in such cases, be considered. So difficult is it to understand even what the word madness means, that a satisfactory definition of it has not perhaps been yet given.

It will, it is hoped, be considered as a sufficient

* It is here proper to observe, that, although the commissioners in the vicinity of London are required to make their visitation once at least within every year, they generally make these visitations three or four times in the year, and at such visitations inquire into the regulations of the house, and require to have shown to them all the patients.

excuse for admitting the case in the following quotation from a former volume by the author of these pages, that it seems to illustrate this part of the subject, and serves to show, that the difficulty of decision in cases of this nature, is such as ought to induce the legislature to take the office from those, of the competency of whose judgment they have no pledge whatever.

" A gentleman farmer was brought to a house for the reception of lunatics, his friends grounding the necessity of his confinement on his conducting his affairs in such a manner as must soon bring him to ruin. On speaking to the patient, he said, if his friends could state any circumstance which he could not defend on principles of reason and equity, he would consent to be confined for the rest of his days. He was then asked, Do you not give more wages than other farmers?—Yes. Why do you? Because I am of opinion that the standing wages of labourers is much too small; and the neighbouring farmers agree with me in that opinion, but have not integrity enough to follow my example, although they know their labourers to be almost starving. But have you not had it clearly demonstrated to you, that this proceeding must terminate in your ruin?—Yes, but—a question in my turn, Am I to be deemed a madman because I will not save myself from ruin by starving a number of my fellow-creatures? Well, but your friends say, that you have thoughts of leaving your farm to your

servants, and to make a tour over Scotland, setting out with only a crown in your pocket. Is that a rational intention?—Yes. I have certainly a right to make what tour I please: it will be a more rational tour than your sparks of quality make, for I go to inform myself of the agriculture of the country I pass through. But you leave your farm to the mercy of your servants.—So do other farmers, and more madly than I should, since, by my generosity, I have assured myself of the fidelity of my servants. But was it not madness to think of setting out on this excursion, with only a crown in your pocket?—So, extravagant generosity is first brought as a proof of my madness, and, this failing, you mean to prove it by my parsimony. But I can explain this part of my conduct also. I know I injure myself by the wages I pay, and therefore I judge I can spare but little for myself—so much for my parsimony. But how is this crown to carry you through?—Thus—I shall take one of my horses for the first thirty miles, and then travel on foot the next twenty; and thus, with care, my five shillings will carry me fifty miles from home. Now the object of my journey is agricultural knowledge, and my wish is to obtain it as cheap as I can, therefore I will hire myself as a labourer until I have got five shillings more, and then set off again. I have got such recommendations as will insure me employ and extra wages. In this manner, I shall perform my tour; and get, perhaps, as

much useful knowledge as will enable me to pay my men their due without incurring ruin. Staggered by the acuteness of these answers, the medical gentleman was with difficulty induced to sign the certificate of his lunacy, and, at last, did it with that want of strong conviction which left it a burden on his mind.

"In a little time all doubts however were removed, he threw himself over the ballustrades of a staircase, although with but little injury. On being asked what induced him to do this, he said, that he long had it in intention, and had only waited for God's consent: that he, that morning, had put a piece of paper on the frame of the window to ascertain whether his intention was approved. If the paper blew outwards, he was to infer he had permission; and, if inwards, not.—Well, he was asked, did it blow outwards—No, he answered, it remained where I placed it, from which I concluded the answer was—I might do which I liked, and therefore I threw myself down stairs.—Let it be considered, that if, in the first instance, the medical man had refused to certify him to be a madman, and any serious mischief had followed, the heaviest reproaches would have been heaped on him, and a disinterested opinion, delivered according to the best of his judgment, might have seriously hurt his professional character*."

But those who have seen, even but few, of the

* The Hospital Pupil. Page 124.

victims of this dreadful malady well know, that where there is " reason in madness," the difficulty of detecting the presence of the disease is frequently very great; and that those patients who possess the greatest powers of restraint over their mental wanderings, are those who require much more to be watched than those in whose conversation we find " matter and impertinency mixed."

The leading principle of this act is evidently to place a medical man, as a competent judge, between society and the unfortunate patient; to prevent him, on the one hand, from the commission of any act injurious to himself, his family, or to any member of society; and on the other, to prevent him from undergoing unnecessary imprisonment. It is not every insane person for whom confinement in a mad-house is necessary: it can only be requisite in those cases in which it is expected to be one of the means of cure, or where there is reason to suppose that the patient by being at large, may, from the disordered state of his intellects, be led to do injury to himself or others.

The spirit of the act has been almost generally mistaken. It is by many imagined, that it is intended to obtain and to enforce the confinement of all insane persons, whereas the act appears in this respect to have been most considerately worded:—the keepers admitting lunatics are not to admit " *any person as a lunatic, without having an order, in writing, under the hand and seal of*

some physician, surgeon, or apothecary," stating not merely that such person *is a lunatic*, but that such person *is proper to be received into such house or place as a lunatic.*

To many this may appear somewhat like a distinction without a difference; but to those who have seen those cases, which frequently occur, in which the shattered mind, free from any dangerous purpose, is only to be repaired by a careful adaptation of the tenderest means; as well as other cases where the most mischievous propensities are almost concealed under very slight appearances of derangement, and where confinement and coercion are absolutely necessary; to those, I say, it will not be difficult to comprehend, that the legislature here expected, that the persons signing such certificate should exercise their judgment, in ascertaining whether, even if insanity really existed, confinement in such a house or place was proper or not, in the case of that particular patient.

To render evident the necessity of making such a distinction, it may be sufficient to point out an illustrative case or two. The learned Whiston, in the latter part of his life, frequently laboured under the most alarming fits of abstraction of mind, and suffered also from dejection of spirits, to such a degree, as, at times, would have authorized his being considered as a lunatic. His friends judged ightly: to have committed him to a mad-house, would in all probability have fixed him with irre-

mediable madness; but considering his mind as injured by intense and abstruse studies, they recommended the almost constant but gentle exercise of it, wishing to prevent its lapsing into a state of torpidity, either from deficiency or excess of action. The mode of life adopted for him was that of almost constantly travelling, accompanied by a person capable of talking with him only on common topics, and of occasionally amusing him with light reading, and with playing with him at games in which chance and skill were blended. The propriety of this mode of treatment in this case is obvious; but other cases will occur, with even less decided symptoms of insanity, and in which confinement is absolutely necessary. A lady is at present in a private mad-house, and the leading symptom of her malady is merely the fancying that her breath is offensive. But the necessity for confinement, in this case, arises from her distress, respecting this imaginary evil, being such as to occasion a considerable reluctance to take her food, lest by its grossness it should increase her supposed malady. Her dejection also is such, at considering herself as a nuisance to those around her, as to give reasonable fears lest she should, if left unguarded, destroy herself.

Besides those already noticed, considerable difficulties will arise from the necessity of distinguishing cases of madness, from those of deranged states of the mind from other causes; in many of which

the mode of treatment, in general adopted for madmen, might prove highly injurious.

Under derangements of the mind may be placed many disorders differing materially from each other: of these it is not necessary to notice here more than madness; delirium; fatuity, or a general failure of the faculties of the mind; and a failure of some, whilst others of the faculties are but little impaired. The difficulties which here occur, arise from this circumstance, that whilst cases may exist of absolute insanity, which may not really require confinement, there may also exist other cases, not of actual madness, in which confinement will be indispensably necessary.

Thus two gentlemen, both ornaments of society and men of the most peaceful and amiable manners, have assumed an idea so extravagant, as that the termination of the present world will take place, within a very short declared period: and have even acted on this idea, to the material injury of their interests, and to the extent that would warrant their being considered as madmen. But confinement here, as a measure of caution against any personal mischief, would be a most cruel injury; although the restraint of the law might be employed to prevent the improper disposal of their property.

Instances have been given, in the work already referred to, of puerperal women, and of patients in fever and dysentery, having been most absurdly brought in a state of delirium, to mad-houses,

where their admission had been objected to by the keeper, and only submitted to on the humane consideration, that they might be saved by immediate attention, but must have sunk if exposed to the fatigue of returning to their homes.

On the other hand, instances of fatuity and of those deviations of the mind accompanying epileptic fits, frequently occur, in which the dangerous propensities of the patients are such, that nothing but that vigilant attention, which is habitually employed in these houses, could give a hope of preventing some fatal mischief. But in those cases in which the several faculties of the mind are only partially affected, such a species of restraint is seldom if ever necessary. Thus, the power of reasoning may remain, whilst the memory may be remarkably impaired; or the memory may be but little injured, whilst the faculty of reasoning can be but very imperfectly exercised; or both failing, will reciprocally injure each other. In all these derangements of the mind, such a semblance of insanity may appear as may be very likely to mislead those who are inattentive, and induce them to consign to a mad-house those who only require a kind and vigilant nurse. Thus an artist of deserved celebrity in the last stage of his life, could not call to recollection the names of the different things which surrounded him; and fatigued with the repeated fruitless endeavours at naming them properly, he satisfied himself by call-

ing them by any name which first occurred to him, making himself better understood by pointing or by other appropriate signs: his judgment and reason appearing to be unimpaired, whilst his language and manner were exceedingly strange and uncouth.

An aged gentlewoman suffered an extraordinary chasm in her recollection. She appeared to have totally forgotten the circumstances of her life which had occurred within the last thirty years, but recollected strongly the events before that period. Hence a considerable agitation of her mind was frequently excited by her endeavours to connect events of that distant period with circumstances at present existing, not being at all aware of the lapse of the intervening period. Mr. J. Hunter used to mention in his lectures the case of a gentleman,who, besides referring the circumstances of his early life to the present period, had so lost the connection between his mind and body, that although his mind would direct him what was to be done in consequence of certain impressions, and would direct him rightly as to the part affected by them, he constantly referred them to some one else. Thus he would tell his nurse and the bystanders that he was sure they were hungry or dry, but upon offering him food or drink, it appeared plainly, by his eagerness, that the idea had arisen from a sense of hunger or thirst in his own stomach. He had a violent cough, but after it had ceased,

he would, in very elegant language, continue the subject on which he had been conversing, first expressing his distress at having witnessed the sufferings of his friend from so harassing a complaint. A gentleman who was fond of his bottle, always, as he became intoxicated, referred his feelings and his debilities, in like manner, to those around him. Hence upon going home, he supposing all the family to be in the state in which he felt himself, would insist on undressing them all and putting them to bed, he declaring that they were all too drunk to do it themselves.

To ascertain the real nature of mental derangement, often requires the exercise of the nicest discernment; and even when that is done, the most careful judgment may be necessary whilst determining whether the patient should be removed to a mad-house, or be suffered to remain with his friends. In such situations it is not every one who is capable of making the required decision. A removal in many of these cases certainly should not be determined upon but by a physician.

The vague nature of the evidence which is frequently adduced, in cases of imputed insanity; the imperious necessity, often, of an immediate decision; and the danger of mischief from forming an erroneous judgment; afford other reasons in favour of the revision of that part of the act which gives so vaguely the power of confinement.

The difficulty of obtaining direct evidence of

insanity from the patient himself, is frequently extremely difficult, and always most so in those cases, in which method is blended with madness; and where the patient is suspicious that his confinement is intended. It is a circumstance of frequent occurrence, that a patient shall be able during a period of examination, to repress his extravagancies, and immediately after give them their full play, and exult at the success of his management.

A lunatic having committed in his own house several acts of violence, the family obtained a police officer from a neighbouring office to restrain him until the keeper from the mad-house arrived. When the keeper came, he inquired particularly how he should know the patient, on his first entering the room, that he might immediately secure him with the waistcoat, to prevent any dangerous struggle. He was told that he had on a brown coat, and that he would know him by his raving. He therefore glided into the room, where the police officer, who also had a brown coat on, sat with his back towards the door, remonstrating with the patient, who on seeing the keeper enter, with the waistcoat in his hand, became immediately calm, and with a wink and nod, so completely misled the keeper, that in half a minute the police officer in spite of his resistance, was completely invested with the strait jacket, the patient manifesting his enjoyment of the trick by a violent burst of laughter.

Unfortunately it generally happens, that in patients in which so much cunning is found, a great propensity to mischief is united with it; and hence the greatest danger may exist in those cases in which, not only the detection of the malady is most likely to be evaded, but the indications of a disposition to mischief are hardly decisive enough to warrant the signing of the certificate. Such instances are continually occurring. The following, a case which happened whilst these lines were writing, will show, not only the difficulty of judging on the evidence obtained by the examination of the patient, but also the necessity which must often occur of forming a decision entirely on other evidence, than that which the patient will yield on examination. An aged person, who having materially injured the interests of his family by repeated extravagancies of conduct, had become so extremely irrational, that, for his own and his family's security, it became desirable that he should be confined. On this account, the writer of these pages had two interviews with him, of nearly an hour each, during which, notwithstanding conversation was introduced on the very points on which he was said to wander, nothing more could be perceived in his discourse, than that kind of trifling garrulity which seemed to show, rather the approach of the fatuity of age, than the existence of madness; the signing of the certificate was therefore refused.—

On the following day, he borrowed a pound-note of an alehouse-keeper, with which he paid earnest for a house, and wishing to have the adjoining house too, he bought a padlock and put it on the door, that the landlord, to whom he had not spoken, should not show the house to any other tenant: and as two other houses in the same street had also struck his fancy, he with the same view closed the key-holes of the street-doors with dirt, and engaged a watchman to watch these houses every night. Still it seemed proper to defer the certificate until the certifier could himself witness any language or act of insanity of the patient. But the following night, the patient told his wife that he must get rid of her before Christmas, as he had seen a young woman he liked much better. "I wish," says he, "you would die of your own accord—but that is not of much consequence, I must get rid of you; but I am not such a fool as to murder you and be hanged for it—there are other ways to shorten your life, without directly murdering you; for I could cut your legs off, and if you bled to death, you could go to heaven without your legs, you know." Still this was only reported by relations; no direct evidence could be obtained by the certifier. What then was to be done in this case? why certainly to remove the chance of the poor woman being killed, at the risk of whatever afterwards might ensue to the certifier, or the relations.

Those who are unacquainted with cases of this kind, and are therefore entirely incompetent to judge on these occasions, may suppose,that it would have been right to have waited longer; and not to have sent the man to a mad-house on such indirect evidence. Let such persons ponder on the following cases, and then say whether they feel assured, that one night's more delay might not have been fatal. Some patients of the lower class, apparently recovered, had been culpably left in the night without being confined to their beds. In the morning, on the entrance of the keeper, he beheld one of the patients covered with blood, who, with an air of authority, ordered him to remove that body, pointing to that of a fellow patient; adding, that he had been engaged the whole night in cutting his head off; which it appeared he had done, in a most horrid manner, with a knife which he had purposely obtained and concealed. The following instance was particularly distressing, since the victim, from his amiable character, was universally beloved. The circumstance occurred at a neighbouring poor-house, the master of which, from his indulgent disposition, had allowed an apparently harmless crazy person to be at large, and had employed him in little occasional offices; but on serving him one day with his dinner, he asked if that was all he was to have, and on the master answering yes, he directly plunged the knife in his

heart, and turned round with a maniacal indifference to take his meal with the bloody knife*.

A case has been just related, in which the writer of these pages signed the certificate only on the evidence of the relations of the patient. Cases requiring similar conduct are perpetually occurring; in which, if medical men refuse to perform this unpleasant part of their duty, until the patients themselves yield to them evidence of the necessity, that cunning which madmen frequently employ, may protract the decision until some dreadful mischief shall too plainly evince the danger of delay in these cases.

The situation of even the most acute and intelligent of the profession, may in some of these cases be exceedingly unpleasant. The relations of the patient declare his malady to be such, that they know he is meditating mischief of a most serious nature, and they adduce satisfactory instances of his insanity; but on examination of the patient himself, nothing is discoverable but a somewhat strange and peculiar manner, but not one decided mark of madness. What can a medical man do in this case? he may be deceived by the relations, their evidence is not given on oath; and he may

* In Mr. Haslam's excellent observations on madness, is a most interesting case, in which the madman most carefully restrained himself from extravagancies of conduct for a considerable time, until he had, by his cunning, deceived his keepers, and produced the opportunity of effecting his long and deeply planned revenge.

be betrayed into a situation, which in its consequences may prove his ruin; on the other hand, if timidity should prevent him doing that which he thinks may be right, he may have to accuse himself of having been the cause of the most lamentable evils.

In such a situation, the certifier requires some protecting clause in this act: perhaps the evidence of the relatives, where the medical examiner cannot himself obtain proof, ought to be required upon oath; and as it is a case in which the safety of society is concerned, the justice of peace administering the oath, might, if he thinks that evidence sufficiently strong, either give his order for the confinement of the party, or add his signature to the certificate.

Other cases also occur, in which the medical examiner ought to be provided, by the act, with the aid and even direction of a justice of the peace. Such are those cases in which, from original imbecility of intellect, or from its failure from various causes, the unhappy being possesses no power of resisting those propensities, which are sure to terminate in his own ruin, and that of those connected with him. I acknowledge this to be ground on which I tread with awe, and see the difficulty of taking a single step without danger. Certificates granted in these cases might, in improper hands, soon become so many *lettres de cachets*. Something however, in this respect, is necessary to be done;

and with the hope that it may possibly, at some time, engage the attention of the legislature, I will point out an instance or two of this deranged state of the intellect.

A boy whose mind had been perverted from his infancy, by the most extraordinary degree of indulgence, became so addicted to vehemence of passion on the slightest contradictions, that his friends, after long consideration, placed him in that situation of life in which they conceived he would be least exposed to circumstances which would excite him to mischief; but a very little time showed the incurably diseased state of his mind. In a fit of passion, almost unprovoked, he forfeited his life to the laws: but the plea of insanity saved him, to commit an act still more atrocious, which then consigned him to a mad-house for life. An elderly man, hitherto of decent conduct, of a sudden unaccountably manifested the most indelicate and disgusting propensities. It was proposed to have him guarded as a lunatic; but this was objected to, on the principle, that criminal propensities did not constitute madness; and that there was here little or no apparent change in the intellect. In this state, his friends felt the greatest alarm, lest he should bring on himself some shocking opprobrium or punishment. Soon, however, his real state was evinced: failure of intellect, in other respects, came on rapidly, and terminated in complete fatuity, of which this conduct had unhappily

been the first symptom. A young woman, the daughter of a labouring man, had from her youth shown such a deficiency of intellect as would only authorize her to be considered as rather silly; and with this was joined an exceedingly kind and obliging disposition. As she approached an adult age, her parents were exceedingly distressed by perceiving, that she was unable to resist any impulse of her passions or desires. From this circumstance she was perpetually occasioning them alarm and uneasiness: since with the rest of her unfortunate propensities, was that of stealing any article which she was desirous of obtaining, however trifling or important it might be, or however certain she might be of detection.—Alarmed for the consequences, the father applied to the parish-officers, who, convinced of the danger in which the poor creature stood, took her into the poor-house; but here the restraint was not sufficient, and they being convinced that she did not possess reason sufficient to keep her from the commission of crimes, obtained a certificate and sent her to a mad-house. Here from being extremely miserable, she became satisfied and happy; but at last, confinement becoming irksome to her, she applied to the writer of these pages, who referred her to the commissioners on their next visit. The commissioners finding only a silliness of manner, advised her liberation, which, to the distress of her parents, took place.

I must here take the liberty of introducing one more passage from the work already referred to, as illustrative of the difficulties which may occur, with respect to those who impair their intellects by intoxication.

" But this is not the whole of the disagreeable office with which the law has invested you—I do not mean to say wantonly, far from it; for I know and feel the difficulty which the legislature has here to meet. It renders, however, every medical man, as it were a *Custos morum*, an office which I will venture to assert, few would have the presumption to assume, but from the mischiefs which might follow their refusal to act, whilst the law is so imperfect in these particular cases. The cases to which I here allude, are those where the alienations of judgment are the consequences of the abuse of spirituous liquors. A great law authority has, I understood, asserted, that any person who is disposed, when intoxicated, to aim at the life of another, and who will not refrain from intoxication, ought to be confined. In this observation every rational person must, I think, concur; but still, as drunkenness and madness are essentially different, the medical man, who would certify such a person to be a madman, would go beyond his opinion; and would act in his own wrong for the public good. But although drunkenness and madness are, in themselves, essentially different, it must be considered, that repeated intoxication must so

far impair the faculties; that, between the paroxysms of drunkenness, when the ruinous consequences of their unfortunate addiction rush on their minds, such a considerable degree of morbid irritability occurs, as forces the unhappy beings to fly for relief to fresh draughts of liquor, and even renders them liable to fits of the most dangerous passion. Such persons are, I think, undoubtedly, fit persons for confinement; since the only chance of a cure, of this dreadfully irritable state of the mind, and of their wretched propensity, would be yielded by a temporary suspension of their ruinous habits. By drunkenness, also, the mind may become so injured, that, even between the paroxysms, such modes of thinking, and such resolutions may be adopted, as may be marked by the grossest absurdity, and most injurious tendencies.

" A man with an income of six hundred pounds per annum, from a genteel business, took up the resolution, to live as he best liked the rest of his days, to give up his business, abandon his wife and two children, sell his goods, to live and lodge in an ale-house until the money was spent, and then retire to the parish poor-house. This resolution he strictly followed, consigned his family to ruin, and now eats the bread of idleness in the parish poor-house, instead of being lodged in Bridewell or Bedlam*. How nice is the discrimination ne-

* This man is since dead. His wife soon died with grief; his son was taken from school, and sent out as a sailor; and

cessary in some of these cases, and how little likely it is that it shall be obtained from some individuals of our profession. May our legislators see these difficulties, and decree those measures which may remove them*."

From a review of the observations and cases which have been here adduced, it seems that the cases which are offered to the examination of medical men, may be distinguished into those of *evident*, *apparent*, or *imputed* madness: the latter comprehending those which have been just mentioned in which evidence is only to be obtained from the relations of the patient. Might not those who certify be required to distinguish the case, in the order which they sign, according to some such distinction, which would in some measure direct the visitors of the college to those cases which would demand their more particular attention.

It unfortunately happens, that considerable difficulties occur to many persons, from their ignorance of the provisions of certain acts of parliament, by which their most important interests are par-

his daughter, fifteen years of age, on being taken from boarding school, tried several situations, in none of which, although it was certain she exerted herself, would her broken spirit enable her to succeed. Her last situation was that of pot-girl at a common ale-house, whence she was removed, on the coming on of illness, to a miserable room in a neighbouring house, and perished, as I have been credibly informed, in want of the common necessaries of life!

* The Hospital Pupil, p. 130.

ticularly affected. In general the inconveniences, hence resulting, can only be regarded as the necessary consequences of a culpable inattention to the promulgation of such acts; but unhappily, ignorance of the clauses of this act is followed by distressful inconveniences, which are not confined to those who have been guilty of the omission.

Patients are frequently brought from a considerable distance in the country, to some madhouse in town, and without a regular order. The patient may be a decided lunatic, in a paroxysm of dreadful exertions; but as he is not accompanied by a regular order, the keeper of the house cannot receive him, until a medical person can be found to certify his lunacy. In this interval, he must remain exposed to an accumulating crowd, unless, which is not always the case, some other place can be found near the spot, in which he can be received for that space of time. Other patients, those who are disposed on any little temporary irritation to dangerous acts of violence, may be also brought, without a certificate, from a distance, immediately after a dangerous paroxysm, but now in an interval so lucid, as not to enable a stranger to determine, from an examination, at that time, whether he is a lunatic or not. If admitted, the penalty is incurred, and if not, serious and even fatal mischief may be the consequence. Might not, in the first of these cases, when the madness is *evident*, the patient be received, and twelve hours be allowed for shelter, before the order shall be

required to be signed? Where the patient is said to be dangerous, but the disease is only *apparent*, might not his continuance under confinement be allowed for twenty-four hours, to allow of further examination, and an opinion of higher authority, before signing the order?

But assuming that a patient is regularly received into a house of this description, what means of assurance does the act offer, that he shall obtain his liberty as soon as his recovery shall be completed, and that he shall not be detained from any improper motives of his relatives, or of his keeper? The only answer that can be here offered, is that the act obliges the visitation of the commissioners once, at least, in every year, and at times of which no notice is given to the keepers of these houses. But cases frequently occur, in which the necessity of confinement exists but for a few days. Thus the author of a French poem, of considerable merit, was attacked just before the completion of his labours, with a fit of the most vehement madness, or rather perhaps delirium, which, on the employment of coercion and of other proper management, left him, in the course of three days, in the perfect use of his mental faculties. Further confinement, here, it must be obvious, would have been a most cruel infliction; but there is no provision in the act of parliament, which would have hindered its prolongation, at the will of any timid or interested relation, to a very distressing extent.

It appears, therefore, to be necessary, that some

provision should be adopted, to prevent the unnecessarily long detention of a patient in these houses; but it is equally necessary, that the keepers of these houses, the relations, and even the medical attendant, should be protected in those cases, in which, from the ambiguity of the case, the necessity of the continuance of confinement is not evident to those who are not in the situation of frequently seeing the patient. A gentlewoman, originally of an envious and revengeful disposition, gradually became decidedly insane. Her disease manifested itself by a suspicion that she was under the influence of sorcery, and that she was losing those beauties, of which time, in fact, was despoiling her, by the arts of her female acquaintance. Whilst even in confinement, her malady would with difficulty be detected by a stranger. On being visited by any female, she would say, "You look vastly well, but I don't wonder at it—You have a fine complexion, or, You look nice and buxom, but I don't wonder at it." Her meaning was understood only by those who were constantly with her, and who knew that she concluded, that all these charms had been stolen from her by magic art: she being even convinced that she not only felt her flesh scraping off her bones, but that she became shorter, according as the wants of her tormentors required it. After a time, it seemed that confinement, and her extreme anxiety to return to her home, were acting very injuriously on her health; and as, with her earnest

request to be permitted to return to her family, was joined a cunning forbearance from her usual complaints, even the keeper of the house was deceived, and was induced to write to her friends, to request that a trial of her should be made. This was done, and within a week her husband awoke, in the middle of the night, and caught her drawing a knife from beneath her pillow, with which she meant to have destroyed him.

The question of the continuance or dismission of a patient, is frequently as difficult, as it is important, to the patient and his friends, as well as to his keeper. It may be said that the question should then be determined by the keeper; but the decision on the case of Mrs. Daintree* shows, that such an opinion will not always in these cases afford protection to the relatives. A clause therefore appears to be required in the act, which should furnish an authorized arbitrator in these cases, on the requisition of any of the parties: it being remembered, that at present, none of the parties concerned derive any new justification from their being able to prove, that the persons so confined, have been sent to the mad-house by such direction and advice as are required by this act; but shall be obliged to justify their proceedings, according to the course of common law, in the same manner as if this act had not been made.

A circumstance which is but little known re-

* See the annexed Correction of Statements, &c.

quires particular consideration, whilst agitating the question, respecting the period at which a patient should be liberated from confinement. It is from repeatedly noticing this circumstance, that those who are accustomed to lunatics will uniformly give that opinion, which is generally supposed to be entirely the result of interested considerations—that no patient should be liberated until sufficient time has elapsed to allow of determining that the cure is, for that time at least, complete. The circumstance to which I allude is, that patients are themselves unable to form a judgment, as to the period at which their restoration to reason takes place; but generally reckon it from that period when the disordered mind becomes so far relieved from the influence of maniacal impressions, as to recur with anxiety to domestic comforts and interests. Still incapable of detecting the fallaciousness of the delusory notions which the disease excites in the mind, and, therefore supposing themselves to be in the full possession of their reason, they dwell only on the supposed cruel restraints under which they are kept, and their painful detention from their homes.

At this period, they consider and speak of themselves as the most persecuted creatures existing; and if now removed, their language and reasoning is, "I have been perfectly well, as I am now, for a long period, and still my relations unjustly confined me, and I suffered a series of unne-

cessary restraint and cruel treatment." In most of these cases, the cure not proceeding, the resentments thus excited continue through life; the relations and keepers are never forgiven, and it becomes an unvarying request, should any thing of the kind ever afflict them again, that they may not be sent to the same house. On the other hand, it is almost uniformly the case, that if the confinement is continued until a recovery is established, the anxiety for liberation diminishes as the amendment proceeds; and when cured, the patient, who a little before was complaining of his unjust imprisonment, becomes diffident of his own powers, and willingly agrees to the proposal, and even himself suggests the propriety, of a few days more trial, before he again mixes with the busy world. In these patients who have been thus withheld from society, until their cure has been complete, a grateful regard for those who have had the care of them is very frequently found; and immediately on their perceiving, which is frequently the case, the first feelings of the next attack, they will immediately request to be taken back to their former place of confinement.

Cases are perpetually happening, that prove the justice of these remarks. Patients on the first feelings of a recurring disease, will, of their own accord, resign themselves to houses where they have been before confined, and been detained until completely cured; but, on the following day,

perhaps, or as the derangement advances, will demand their freedom with the utmost violence and abuse. Others again, whose importunities have gained their liberation before a cure has been effected, will themselves, if their cure proceed, be able, as their judgment improves, to detect little wanderings of their mind, which will induce them frequently to require their friends to dispose of them as they think proper.

There is no situation more painful and delicate to the relations, and even to the keeper than that in which they are placed during the tedious convalescence of a patient. The patient considers himself cured, and clamorously requires his liberation, the less intelligent of his friends joining in the demand; whilst the near relatives who have witnessed the serious progress of the disease, feel the danger of a removal, until they are convinced of the cure being complete. Wearied at last by the impertinent interference of those, perhaps, no way interested in the concerns of the patient; and by the cruel insinuations and calumnies of the host, who gratify their meddling disposition under the assumption of charitable sympathy, the relatives apply to the keeper for his opinion. If the cure is not complete, the keeper of course says, "I know that the opinions which I shall give, may be suspected of originating in interested motives; but I must say, that, although I know the patient may, to you who see him seldom, and

but for a short time together, appear to be well, I know him to be not so, and fear, that on his feeling himself free from restraint, he will rapidly become worse." Relations, who, though possessing sense and fortitude sufficient to despise the chattering of those around them, severely feel the necessity either, of appearing to, perhaps, a beloved and respected relative, as his inflexible persecutor, or of fearfully shrinking from the performance of an afflicting duty, are thus placed in a distressing situation.

An obvious mode of proceeding here indeed presents itself—a reference may be made to a physician, on whose opinion the decision may be made; but who is to nominate this physician? By which ever party he is nominated, the other may find objection to the appointment; and if another should be called in, and a difference of opinion should arise, what is then to be done? It may be said that a commission of lunacy may be obtained; but, independent of the expense of such a proceeding, the case is assumed to be of such a kind, as to render this mode improper, since the patient is supposed to be either convalescing or cured. In such cases should not the opinion of one of the commissioners under this act be rendered attainable, on payment of a certain sum, &c. and without previous application to any of the courts of law? the opinion thus obtained being efficient for the protection of the relation, as to that parti-

cular act, or for the liberation of the patient, unless notice within a certain time is given, of claiming the opinion of the whole board, or of bringing the case before a jury.

Should circumstances arise, which shall procure a revision of this act, it is to be hoped that a clause will be introduced to prevent or punish any cruelty or *misdemeanor* towards any insane patient.

It gives pleasure to the author, at the moment of writing this, to be able to say, that such is his opinion of the humanity and respectability of the keepers of these houses, that he fully believes, that such a regulation would be to them highly acceptable. From them no unnecessary severities are to be apprehended. The great responsibility which attaches to their situations, and the anxiety which they must possess, with others, who have considerable interests at stake, to be well spoken of in their profession, would secure them from doing wrong in this respect. But higher grounds may surely be taken, and a pledge fully sufficient be found, in the humanity by which their conduct is directed.

But this cannot be expected to be the case with all those, who these persons are obliged to employ. The situations which are filled by the male and female nurses, or keepers as they are termed, are such as few would wish to undertake. They are often called on for the performance of offices so unpleasing, and indeed so disgusting, that nothing

hardly, but the consideration of high wages, could induce them to engage, or to continue, in situations of this kind. Hence they are sometimes persons who have filled very inferior situations of life.—Highly satisfactory as their general conduct may be, it cannot, however, be unfair to suppose, that among such numbers as are employed, there may be some who do not possess that sense of propriety and that tenderness of disposition, without which, an assurance cannot be felt of a patient's experiencing the desired treatment at their hands.

The known existence of a law, which takes the persons of lunatics under its particular protection, and which dispenses punishment to those who are found committing any act of cruelty, or *otherwise misdemeaning* themselves towards them, would necessarily do much towards promoting the comforts of those who were committed to their care. It would also render their friends more satisfied, by assuring them of the good treatment of the patient, and would at the same time give to the master of the house, a due increase of power over those whom he employs. These too, apprised of the penalty, would be more likely to confine themselves within the prescribed limits, that they might not subject themselves to a punishment to which they would be liable, on a charge regularly made and supported by their master*.

* It is to be lamented, that instances of most improper conduct towards females, in this unhappy state, might be

It may be imagined that such a clause might give an opening for innumerable ill-founded prosecutions; and that every imperfectly cured lunatic might bring forward such a tale, as, working on the feelings of a jury, might render the situation of a mad-house keeper untenable. This indeed would be the case if a line could not be drawn; but happily that is here by no means difficult. That treatment which is ordered by the master of the house, should not be cognizable under this act; and redress for any proved mal-practice under his direction, would then, as it already is, be liable to be punished according to the course of common law.

With the hope of avoiding the imputation of presumption, in having offered the preceding observations to public consideration, the writer begs leave to remark, that he conceived, that they might derive some value, from the opportunities which he possessed of viewing the several bearings of the act, with the particular circumstances and situations to which he has alluded. Medical men, residing in the neighbourhood of mad-houses, are necessarily exposed to many disagreeable applications, in cases in which their prompt opinion, on the spot, is required; and hence they witness, more than others, the beneficial effects, as well as the de-

adduced, to manifest the necessity of introducing a clause of the nature here mentioned.

ficiencies, of this particular act. It is from this circumstance alone, that he expects, that the observations which he has here offered may derive any importance.

A

CORRECTION

OF THE

MISTATEMENTS

RESPECTING THE

CASE OF BENJAMIN ELLIOT,

Who was tried and found guilty at the Middlesex Sessions, Oct. 30, for a Conspiracy, the object of which was illegally to deprive Mary Daintree of her liberty.

NEARLY four years ago, Mrs. Mary Daintree, who had lost her husband some months before, became so much deranged in her mind as to be troublesome, by the strangeness of her conduct, to the neighbourhood in Rosoman Street, Clerkenwell, in which she resided. She was sometimes seen walking up and down the street where she lived, at four or five o'clock in the morning, in the most agitated manner. Sometimes she fancied that voices came down the chimney, or through the wainscot, or were to be heard in the air, calling her reproachful names, and accusing her of killing her husband. At other times, she would be seen walking about with a long cord wrapped many times round her body, or her arm, saying that she

had been ordered to wear it, and would not admit of its removal. One evening, in particular, her distress seemed to be so great, and she having tried to conceal a cord, and then a knife, as it was supposed for the purposes of self-destruction, that it was found necessary to sit up with her all the night. Seeing her in this state, an intimate friend made application to her brother, and it was concluded that she should be gotten into St. Luke's Hospital; but on getting the blank tickets, and finding that, as the relations thought, her having an income of eighty pounds per annum would render her unfit to be offered as an object of charisy, the tickets were not employed.

At this period, she repeatedly applied to Mr. and Mrs. Elliot, her nephew and niece, and requested that they would let her have an apartment in their house for herself and son; complaining that the wretches would never let her alone in Rosoman Street; that they were always calling her names, and charging her with being the death of her husband; that the hawkers of coals went about there with a bell, giving out that she was a bad woman; and that the children were set on by the wretches to abuse her.

Mr. and Mrs. Elliot unfortunately complied with her request; but she soon became so exceedingly noisy and mischievous, still fancying that her tormentors followed her with their voices, and abused her, that application was again made to

her brother, who then desired that they would get her into a private mad-house, which, as she became exceedingly violent and dangerous, was done on the 28th of November ~~1810.~~ 1807

On the following morning, I first saw her, at the desire of Mrs. Burrowes, but finding her answers to be rational, although her manner was strange and eccentric, I declined signing the certificate until I had gained more information respecting the nature of her insanity. Having inquired therefore from where she was brought, I went to St. John's Street, and wishing to obtain my information from those who were least likely to be interested, I first of all made inquiries at the house on each side. At one of these houses I was informed that they knew little of her, but that their lodgers were often disturbed by the noises which she made. At the other house, I believe neither the master nor mistress was at home; but as to this I am not sure, my memory not serving me correctly, it being full three years since.

I then went to the house, and saw Mr. and Mrs. Elliot, but told them, on their proceeding to give me their reasons for supposing her insane, that I must have other evidence, if possible, than theirs. I therefore begged to know who else lived in the house, and was informed, a lodger and Mrs. Daintree's son, both of whom I had called to me.

Upon inquiring of the lodger, she declared that she was convinced of her insanity, that she had

heard her complain of hearing voices; that as she lived in the room over her, she could frequently hear her, when she knew her to be alone, talking loudly, as if in conversation with persons in her apartment; and that she had seen many instances of her violent and dangerous conduct. I then saw her son, a youth about 16 years of age, and inquired of him what he thought of his mother's situation, to which he answered, that she was certainly mad; and upon some one observing that before this she had been rather in a low desponding way, I asked the son if he could form an opinion as to the cause; but the answer which I received, I refrain from giving here, from motives of delicacy.

Thus furnished with the necessary points on which to examine my patient, I returned to her, and after some further conversation, was fully convinced of her being a lunatic, and signed the certificate.

Her confinement lasted about three months, during which she was visited by her son every week or fortnight, at the importunity of Mr. and Mrs. Elliot, with whom he continued to live. At this period she saw an acquaintance from one of the windows, whom she called to, and informed that she was confined there though perfectly in her senses, and desired she would come and see her. Her acquaintance, therefore, applied to Mrs. Burrowes, who immediately introduced her to Mrs. Dain-

tree, and upon her brother's coming to town she was released, in consequence of the repeated applications of these acquaintances.

On October the 29th, 1810, three years within a month after the time of signing the certificate, I received a subpœna, and attended as a witness on the trial of Benjamin Elliot, his wife, and Sarah Bodkin, Mrs. Daintree's sister, for a conspiracy, the object of which was illegally to deprive Mary Daintree of her liberty. On being called up, the following examination took place.

2. When did you see Mrs. Daintree first at Mrs. Burrowes'?

A. The morning after she had been brought there; when I was surprised at finding her the widow of a man whom I had known and respected.

2. In what state did you find her?

A. She seemed well in health, and her conversation appeared to be rational, but her manner was strange and peculiar. I would wish to observe that I was then unable to determine, whether that was the consequence of irritation or not.

2. Well, sir, what then?

A. I acquainted Mrs. B. that I did not see sufficient reason to convince me of the propriety of signing the certificate; but that I would call in St. John's Street, and endeavour to inform myself as to the nature of her madness.

2. Well, sir, you then went to St. John's Street?

A. Yes, sir.

2. Well, sir?

Mr. Alley, addressing Mr. Gleed in an under voice, said, We'll have none of what passed in St. John's Street.—Mr. G. Why not?—Mr. A. Because it is conversation.

Mr. G. Well then, Mr. P. you must not give us conversation—you must not tell us what passed in St. John's Street—only tell the result—did the inquiries you made induce you to sign the certificate?

A. The information I obtained, induced me to return to the house, and *again examine the patient.* Having done this, I was satisfied of her being a lunatic, and of course signed her certificate.

Mrs. Daintree's son being examined, he swore that "he had never seen her any more mad than she was then." On this, I stated in a note to Mr. Gleed, the counsel for the defendant, that I had examined the son of Mrs. Daintree before I signed the certificate, and that he had declared his mother to be insane, and had even given a cause for it. Mr. Gleed then asked him if he remembered Mr. Parkinson's examining him respecting the state of his mother's mind? He answered, No. Then, said Mr. Gleed, I need hardly ask you if you acknowledged your mother to be out of her mind? To this he replied, Never. I was then again examined by Mr. Gleed—Who did you see at St. John's Street? *A.* A youth, who I understood to be the son of Mrs. Daintree; but the court will

be pleased to observe, that at three years distance, I do not swear that the youth I then saw is the same who has just given his evidence*. Mr. Gleed was proceeding with his examination, but was opposed by Mr. Alley, on the ground, that he was endeavouring to impeach the veracity of his own witness (Mrs. Daintree's son).

This unexpected deposition, from one of the witnesses which had been called by the defendant, appeared to be the circumstance which chiefly influenced the jury in the verdict which they gave against him, and which was followed by a sentence of six month's imprisonment in the house of correction in Coldbath-fields.

In one of the newspapers of the next morning, the following was reported as the evidence I gave on this occasion.

" That he saw Mrs. Daintree in that house the morning after her conveyance thither; that from her appearance *he thought she was not a fit subject for confinement*, and therefore was resolved to make inquiries of the symptoms of her malady amongst her friends, and having seen *her nephew and niece*, and a lad who was introduced to him as her son, *from their information he entertained no doubt of her insanity, and therefore declared her a fit object of confinement.*"

This report being copied into the Statesman of

* Recollection, however, soon convinced me that it was the same young man.

the following evening, the editor of that paper conceived himself authorized by it to make the following remarks.

" The conduct of Mr. Parkinson, who stated himself to be visiting surgeon of the mad-house, however, deserves public attention, both as it stands in itself and respects himself, and as it loudly calls for public interference."

Then after introducing the preceding report of the evidence, he proceeds to say—

" How did Mr. Parkinson come by this conclusion? He did not *himself* think the lady insane, but he believes her to be so on the representation of relations, whom he might have suspected to be interested in her confinement. And is the deprivation of people's liberty to be a matter put at the discretion of a gentleman who could argue as Mr. Parkinson did in this case? It is for the purpose of this *most* important question to the public, that we have made these brief remarks on the trial; and we shall take an *early* opportunity to resume this subject."—*Statesman, Oct.* 31, 1810.

A reference to the report of the evidence as it was actually given (P. 43, &c.) will show that the report commented on by the editor of the Statesman, is exceedingly erroneous in its most material points, those which are distinguished by being printed in Italics.

Instead of deposing that " I thought she was not a fit subject for confinement," I swore that her

manner was strange and peculiar—that Idid not see sufficient reason to convince me of the propriety of signing the certificate; but that I said, that I would call in St. John's Street, and endeavour to inform myself of the nature of her madness. And instead of stating that having seen her nephew and niece, and a lad who was introduced to me as her son, that from their information I entertained no doubt of her insanity, and that I *therefore* declared her to be a fit object of confinement, it will be seen that the information I obtained, induced me to return to the house and *again examine the patient, and that having done this, I was satisfied of her being a lunatic, and consequently signed her certificate.*

The statement of the evidence being thus shown to be erroneous, no necessity exists for refuting the charges, which are implied in the commentary of the Statesman, on the evidence thus reported. Indeed my constant answer has been to those who wished me to notice the remarks of the Statesman, that I had no other fault to find with the editor, but his too easy confidence in the report of the evidence; and that the remarks which he had made were such as he would have been fully warranted in making, had the report of the trial been correct.

Convinced as I am, that Mrs. Daintree was actually a dangerous lunatic, at the time of her admission into Mrs. Burrowes'—doubting even her cure being complete when she was liberated—not

being able to ascertain that the nephew Elliot could derive any possible advantage from her confinement—and knowing that it was with the wish of all her near relations, and under my certificate, granted after a careful scrutiny, that her confinement took place, I cannot but lament the sentence which was passed. I must indeed go further, and encourage a hope that the unfortunate prisoner will, on his return to society, find that his former connections will cheeringly continue to him that support which has been hitherto yielded him, as an unexceptionable, and, as I am informed, a most meritorious character.

FINIS.

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